

Below is the Order of the Court.



Marc Barreca
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

PATRICK JAY LAKEY,

Debtor(s).

IN CHAPTER 13 PROCEEDING
NO. 18-12730-MLB

ORDER DENYING CONFIRMATION

THIS MATTER came before the Court on the Chapter 13 Trustee's Objection to Confirmation (ECF No. 24). Based on the agreement of the parties, it is

ORDERED that:

- 1) Confirmation of the debtor's plan (ECF No. 12) is denied;
- 2) By September 21, 2018, the debtor shall file, note and properly serve a feasible amended plan. The debtor shall set the amended plan for hearing on the Court's October 24, 2018 calendar;
- 3) Section IX. of the debtor's amended plan shall provide for a liquidation analysis figure of at least \$337,273.70 and 2.37% interest on allowed unsecured claims;
- 4) By September 21, 2018, the debtor shall provide the Trustee with third party documentation (e.g, an appraisal) regarding the value of the debtor's 1977 Landfall Sailboat;
- 5) By September 21, 2018, the debtor shall provide the Trustee with current documentation of all sources of the debtor's income;

ORDER DENYING CONFIRMATION - 1

Chapter 13 Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124 FAX 624-5282
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1 6) By September 21, 2018, the debtor shall:
2 a) Amend his Schedule D (Creditors Who Have Claims Secured by Property)
3 to include Colony Mountain Community Club Homeowners' Association (HOA);
4 b) Provide notice of this bankruptcy proceeding to the HOA; and
5 c) File a proof of service that he has provided that notice to the HOA;
6 7) By September 21, 2018, the debtor shall:
7 a) Amend his Schedule E / F (Creditors Who Have Unsecured Claims) to
8 include the Internal Revenue Service;
9 b) Provide notice of this bankruptcy proceeding to the Service; and
10 c) File a proof of service that he has provided that notice to the Service;
11 8) By September 21, 2018, the debtor shall provide the Trustee with the following
12 documentation regarding the Donna M. Lakey Testamentary Trust:
13 a) A copy of the trust formation documents, including documents regarding
14 the debtor's interest (if any) in the trust;
15 b) A list of assets of the trust and the value of those assets;
16 9) By September 21, 2018, the debtor shall provide the Trustee with the following
17 documentation regarding the William Rex Rice Testamentary Trust:
18 a) A copy of the trust formation documents, including documents regarding
19 the debtor's interest (if any) in the trust;
20 b) A list of assets of the trust and the value of those assets;
21 10) By September 21, 2018, the debtor shall move for approval of his real estate broker
22 concerning the real property at 4168 Colony Mountain Drive, Bow, Washington. In filing his
23 motion, the debtor shall comply with Local Bankruptcy Rule 2014-1 (Employment of
24 Professionals);
25 11) The debtor shall provide the Trustee with copies of the debtor's year 2016 and year
26 2017 federal income tax returns once he files those tax returns with the Internal Revenue Service;
27 12) The debtor shall appear at his continued meeting of creditors on September 26,
28 2018 at 1:00 pm;

1 13) The debtor shall make a \$100.00 plan payment so that the plan payment is received
2 and posted by the Trustee by September 21, 2018;

3 14) The debtor shall make another plan payment (in the amount proposed in his
4 amended plan) so that the plan payment is received and posted by the Trustee by October 10, 2018;
5 and

6 15) This order is without prejudice to the Trustee's Motion to Dismiss Case (ECF No.
7 23), which may be heard on the Court's September 26, 2018 calendar.

8 // /End of Order/ //

9 Presented by:

10 /s/ K. Michael Fitzgerald
11 K. MICHAEL FITZGERALD, WSBA #8115
12 Chapter 13 Trustee
13 600 University St. #1300
14 Seattle, WA 98101
15 (206) 624-5124

16 Approved:

17 /s/ Lee Grochmal [approved by email]
18 Lee Grochmal, WSBA #24149
19 Attorney for Debtor
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